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TAGS: [KTIP](#) [ELAB](#) [KCRM](#) [KPAO](#) [KWMN](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#) [SY](#)
SUBJECT: SYRIA -- 2009 TIP REPORT: PRESS GUIDANCE AND
DEMARCHE

REF: A. STATE 59732
[1](#)B. STATE 005577

[1](#)1. This is an action cable; see paras 5 through 7 and 10.

[1](#)2. On June 16, 2009, at 10:00 a.m. EDT, the Secretary will release the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release will receive substantial coverage in domestic and foreign news outlets. Until the time of the Secretary's June 16 press conference, any public release of the Report or country narratives contained therein is prohibited.

[1](#)3. The Department is hereby providing Post with advance press guidance to be used on June 16 or thereafter. Also provided is demarche language to be used in informing the Government of Syria of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Syria and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not/precede the Secretary's release at 10:00 am EDT on June 16.

[1](#)4. The entire TIP Report will be available on-line at www.state.gov/g/tip shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP's Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

[1](#)5. Action Request: No earlier than 12 noon local time on Monday June 15 for WHA, AF, EUR, and NEA posts and OOB local time on Tuesday June 16 for SCA and EAP posts, please inform the appropriate official in the Government of Syria of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8. For countries where the State Department has lowered the tier ranking, it is particularly important to advise governments prior to the Report being released in Washington on June 16.

[1](#)6. Action Request continued: Please note that, for those countries which will not receive an "action plan" with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the "Recommendations" section of the second paragraph of the narrative text. This engagement is important to establishing the framework in which the government's performance will be

judged for the 2010 Report. If posts have questions about which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

17. Action Request continued: On June 16, please be prepared to answer media inquiries on the Report's release using the press guidance provided in para 11. If Post wishes, a local press statement may be released on or after 10:30 am EDT June 16, drawing on the press guidance and the text of the TIP Report's country narrative provided in para 8.

18. Begin Final Text of Syria,s country narrative in the 2009 TIP Report:

SYRIA (Tier 3)

Syria is principally a destination country for women and children trafficked for the purposes of domestic servitude and commercial sexual exploitation. Women from Iraq, Eastern Europe, former Soviet states, Somalia, and Morocco are recruited as cabaret dancers and subsequently forced into prostitution after their employers confiscate their passports and confine them to their work premises. A significant number of women and children in the large Iraqi refugee community in Syria are forced into sexual exploitation by criminal gangs or, in some cases, their families. Some desperate Iraqi families reportedly abandon their girls at the border with the expectation that traffickers on the Syrian side would arrange forged documents for the children and work in a nightclub or brothel. Iraqi families arrange for young girls to work in clubs and to be "married," often multiple times, to men for the sole purpose of prostitution. Some Iraqi women and girls who turn to prostitution out of economic desperation are trafficked back into Syria after they are arrested and deported. Syria is becoming a destination for sex tourism by citizens of other Middle Eastern countries, due in part to the influx of Iraqi women and girls exploited in prostitution. Syria is also a transit country for Iraqi women and girls trafficked to Kuwait, the UAE, and Lebanon for forced prostitution.

Some women, mostly from South and Southeast Asia and East Africa, who are recruited to work in Syria as domestic servants are subjected to conditions of involuntary servitude by employers and some of the dozens of recruitment agencies -- many of which are unlicensed) within Syria. Their work as domestic servants is not covered by Syrian labor law. Contracts signed in the employee,s country of origin are often changed upon arrival in Syria, contributing to the employees, vulnerability to forced labor. Some of these women are confined to the residences in which they work, and have their passports confiscated by their employers as a way of restraining their movement. Employers sometimes physically abuse their foreign domestic workers. The Governments of Sri Lanka, Indonesia, East Timor, and the Philippines ban their citizens from accepting employment as domestic workers in Syria, absent enhanced measures to regulate such employment, although this has not stopped the flow of workers into the country.

The Government of Syria does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Syria again did not report any law enforcement efforts to investigate and punish trafficking offenses over the past year. Protection of trafficking victims remained inadequate overall, though the government opened a new shelter in cooperation with IOM in late 2008 and made plans to open a second shelter in 2009. The government made no significant efforts to inform the Syrian public about the practice of human trafficking or to reduce the demand for forced labor) particularly the forced labor of domestic servants -- or commercial sex acts in Syria. The government has drafted and is reviewing an anti-trafficking law, though it has not made the text public or indicated when the legislation might be enacted.

Recommendations for Syria: Enact a law that criminalizes trafficking; investigate, prosecute, and punish offenders; institute a formal procedure to identify trafficking victims among vulnerable groups, such as girls and women found in prostitution, or foreigners detained for lack of immigration documentation, and refer these identified victims to providers of appropriate care; and undertake a campaign to raise public awareness of trafficking.

Prosecution

The Government of Syria made no reported efforts to investigate or punish trafficking crimes during the past year, though the government reportedly closed several labor recruitment agencies that may have been involved in recruiting workers through fraudulent means for the purpose of exploitation. Syria continued to lack anti-trafficking legislation, without which the police were stymied in identifying potential victims and investigating suspected trafficking offenses. During the year, the government showed signs of nascent recognition of Syria's trafficking problem.

Anti-trafficking legislation was drafted and reviewed by the Cabinet and Parliament during the year, though it was not passed or enacted. Without an adequate trafficking law, authorities could use existing statutes prohibiting kidnapping, forced prostitution, forced labor, and illegal entry into Syria, to prosecute some trafficking cases; however, there was no evidence that they did so.

The 1961 anti-prostitution law criminalizes bringing a person into the country for the purpose of prostitution, and prohibits prostituting a minor less than 16 years old, with a prescribed penalty of one to seven years, imprisonment. The General Penal Code imposes a three-year prison term and nominal fine for exploitation of prostitution by force, fraud, or coercion. These penalties are not commensurate with the penalties prescribed for rape. Decree 29 of 1970, which regulates immigration, stipulates that "any foreigner who tries to enter the country with false documents and anyone who aided that person is subject to imprisonment of three months to one year.⁸ In practice, however, these laws are not targeted toward, or enforced against, traffickers. A 2005 law on money laundering and terrorism financing authorizes prosecution of anyone who receives illicit funds from, inter alia, &trading in people,⁸ although there is no information indicating that anyone has been prosecuted under this provision.

Protection

During the year, the Syrian government made modest progress in protecting trafficking victims. The government donated building space for a new trafficking shelter opened in Damascus in late 2008, and made plans to open a second shelter in Aleppo later this year. These shelters offer legal and medical services and psychological counseling to victims of domestic violence and human trafficking. Referral of trafficking victims to shelters or NGOs remained informal absent enactment of anti-trafficking legislation or development of a formal anti-trafficking policy. In some cases, Iraqi refugee women who were identified as victims of trafficking were moved from detention facilities to shelters.

The government continues to lack formal victim identification procedures to identify potential trafficking victims. As a result, victims of trafficking may have been arrested and charged with prostitution or violating immigration laws. There were reports, however, that some women arrested for prostitution and subsequently identified as victims of trafficking were referred to shelters; this is a positive development. Also, Syrian immigration authorities worked with IOM and foreign embassies to arrange for repatriation of several women, most of whom had escaped from abusive situations as domestic workers. Syria did not actively encourage victims to assist in investigations or prosecutions of their traffickers and did not provide foreign victims with legal alternatives to their removal to countries in which they may face hardship or retribution.

Prevention

During the past year, the government took minimal steps to prevent trafficking. Syria did not conduct any campaigns to educate the public about trafficking, or take any measures to reduce the demand for commercial sex acts. Similarly, the government did not undertake any public awareness campaigns against child sex tourism. Together with IOM, the government provided training to Syrian border immigration officials on combating fraudulent documents, which included a trafficking-awareness component. Syria has not ratified the 2000 UN TIP Protocol.

19. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000 Trafficking Victims Protection Act, as amended (TVPA), requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the "Palermo Protocol"). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the "sex industry") are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a "significant number" of trafficking victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the "minimum standards for the elimination of severe forms of trafficking" set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a "Special Watch List" to Congress later in the year. Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the "Special Watch List" if they move up in "tier" rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1) or if they have been placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made "increasing efforts" to combat human trafficking over the past year; (2) to be making significant efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier 3. Thus, any automatic downgrade to Tier 3 pursuant to this

provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver of this provision for up to two additional years upon a determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in persons, and thereby warrant a reassessment of their Tier classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, "sponsorship systems" that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated "cost of coercion."

-- The text of the TVPA and amendments can be found on website www.state.gov/g/tip.

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

(end non-paper)

10. Posts should make sure that the relevant country narrative is readily available on or through the Mission's web page in English and appropriate local language(s) as soon as possible after the TIP Report is released. Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for translation costs should contact their regional bureau's EX office.

11. The following is press guidance provided for Post to use with local media.

Q1: Why was Syria given a Tier 3 ranking?

A: Syria was placed on Tier 3 because the government made no significant efforts to investigate and punish trafficking offenses or adequately protect victims of trafficking over the last year. Syria continued to lack anti-trafficking legislation, which hinder the ability of the police to

investigate suspected trafficking offenses. Authorities could use existing statutes to prosecute some trafficking cases; however, there was no evidence that they did so. Syria did not conduct any campaigns to educate the public about trafficking, or take any measures to reduce the demand for commercial sex acts. Similarly, the government did not undertake any public awareness campaigns against child sex tourism.

Q2: Has Syria made any progress in combating trafficking although the tier ranking has remained the same since 2008?

A: The government reportedly closed several labor recruitment agencies that may have been involved in recruiting workers through fraudulent means for the purpose of exploitation. Anti-trafficking legislation was drafted and reviewed by the Cabinet and Parliament. The government donated building space for a new trafficking shelter opened in Damascus in late 2008. Together with IOM, the government provided training to Syrian border immigration officials on combating fraudulent documents, which included a trafficking-awareness component.

Q3: What can Syria do to further the fight against trafficking in persons?

A: The Syrian government could: Enact a law that criminalizes trafficking; investigate, prosecute, and punish offenders; institute a formal procedure to identify trafficking victims among vulnerable groups, such as girls and women found in prostitution, or foreigners detained for lack of immigration documentation, and refer these identified victims to providers of appropriate care; and undertake a campaign to raise public awareness of trafficking.

112. The Department appreciates posts, assistance with the preceding action requests.

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